

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

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5
6 In the Matter of

7 ABRAHAM SAYEGH, M.D.

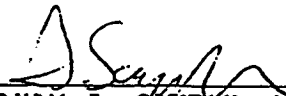
8 Holder of License No. 18816
9 For the Practice of Medicine
10 In the State of Arizona.

11 BOMEX Investigation No. 11827

Investigation No. 11827

CONSENT AGREEMENT TO
ORDER OF PROBATION AND
DECREE OF CENSURE

12 IT IS HEREBY AGREED by and between Abraham J. Sayegh, M.D.
13 and the Arizona State Board of Medical Examiners ("Board"), that
14 the accompanying Order be entered in the above-entitled matter
15 and is effective as of the date issued. Dr. Sayegh acknowledges
16 that any violation of this Order constitutes unprofessional
17 conduct within A.R.S. § 32-1401(25)(x), and may result in
18 disciplinary action pursuant to A.R.S. § 32-1451. Furthermore,
19 by signing this Consent Agreement, Dr. Sayegh waives and
20 relinquishes any right to appeal from or challenge this Consent
21 Agreement by filing for administrative or judicial review.

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24
25 
ABRAHAM J. SAYEGH, M.D.

Dated: 1/6/00

FINDINGS OF FACT

1
2 1. The Board is the duly constituted authority for the
3 regulation and control of the practice of allopathic medicine in
4 the State of Arizona.

5 2. Abraham J. Sayegh, M.D. ("Sayegh") is the holder of
6 License No. 18816 for the practice of allopathic medicine in the
7 State of Arizona.

8 3. In March and April of 1998, Sayegh fraudulently
9 obtained narcotic prescription drugs by forging the name of Joe
10 Hayashi, M.D., on Dr. Hayashi's prescription forms and presenting
11 them at pharmacies. During those two months, Sayegh obtained 11
12 different prescriptions for narcotic prescription drugs in this
13 manner. Dr. Hayashi never treated Sayegh or prescribed
14 medications of any kind to him.

15 4. On March 28, 1998, the Board ordered Sayegh into its
16 Monitored Aftercare Program ("MAP") because Sayegh was abusing
17 narcotic medications. Sayegh tested positive for various
18 controlled substances prior to the Board ordering him into the
19 MAP program.

20 5. On August 31, 1999, Sayegh signed a pre-trial diversion
21 agreement with the United States Attorney for the District of
22 Arizona. Sayegh accepted responsibility for having committed a
23 violation of Title 21, United State Code § 843 entitled "Unlawful
24 Acts - Controlled Substance - Distribution/Possess." Under the
25 pre-trial diversion agreement, prosecution of Sayegh was deferred

1 for 18 months while requiring Sayegh to complete 120 hours of
2 community service work, undergo drug testing at the discretion of
3 federal pre-trial services and surrender his United States Drug
4 Enforcement Administration ("DEA") Registrant number for a period
5 of 18 months prior to reapplying for another Registrant number.

6 CONCLUSIONS OF LAW

7 1. The Board possesses jurisdiction over the subject
8 matter hereof and over Sayegh.

9 2. The conduct and circumstances described above in
10 paragraphs 3 through 5 constitute unprofessional conduct pursuant
11 to A.R.S. § 32-1401(25)(a) (violating any federal or state laws
12 or rules and regulations applicable to the practice of medicine.)

13 3. The conduct and circumstances described above in
14 paragraphs 3 through 5 constitute unprofessional conduct pursuant
15 to A.R.S. § 32-1401(25)(t) (knowingly making any false or
16 fraudulent statement, written or oral, in connection with the
17 practice of medicine.)

18 ORDER

19 IT IS HEREBY ORDERED that Abraham J. Sayegh, M.D., is issued
20 a Decree of Censure for the conduct described above. It is
21 further ordered placing Abraham J. Sayegh, M.D. on probation for
22 a period of five years. The probationary agreement entered into
23 with the Board by Sayegh on March 17, 1999 remains in force and
24 effect. The following terms and conditions are in addition to
25 those placed on Sayegh in that probationary order.

1 1. Sayegh shall comply with the federal diversion
2 requirement that he surrender his DEA Certification for a period
3 of not less than 18 months and comply with all federal and state
4 laws. If and when Sayegh is issued another DEA Registrant number,
5 the prescription restrictions placed upon Sayegh in the March 17,
6 1999 Board Order will remain in effect for the duration of that
7 Order.

8 2. Sayegh will continue in the MAP program and will meet
9 all requirements thereof as set forth in the March 17, 1999 Board
10 Order.

11 3. Sayegh will continue in the federal diversion program
12 and meet all requirements and restrictions of that program.
13 Sayegh will arrange for the federal diversion program to provide
14 quarterly reports to the Board regarding Sayegh's compliance in
15 the diversion program.

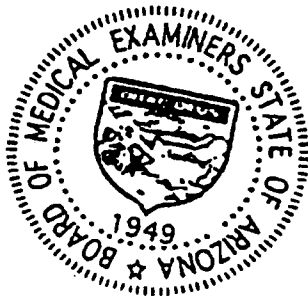
16 4. In the event that Sayegh is either (1) terminated from
17 the federal diversion program for violation of that program's
18 terms, or (2) is referred to the Board by the Diversion Committee
19 for violation of the MAP program terms, his license to practice
20 medicine in the State of Arizona, license number 18816, will be
21 automatically cancelled. Upon cancellation of license, Sayegh
22 agrees that his administrative appeal rights are limited to
23 whether he was properly dismissed from the federal diversion
24 program or violated the terms of his probation.

25

1 The Consent Agreement, Findings of Fact, Conclusions of Law
2 is a public record and shall be reported as required by law to
3 the National Practitioner Data Bank and also to the Federation of
4 State Medical Boards!

5 Dated this 2nd day of February, 2000.

6 BOARD OF MEDICAL EXAMINERS
7 OF THE STATE OF ARIZONA



10 Claudia Foutz

11 CLAUDIA FOUTZ, Executive Director
12 Arizona State Board of Medical Examiners
13 1651 E. Morten, Suite 210
14 Phoenix, Arizona 85020
15 (602) 255-3751

16 COPIES of the foregoing mailed this
17 2nd day of February, 2000, to:

18 Holly R. Gieszl
19 Ridenour, Swenson, Cleere & Evans
20 40 North Central Avenue, Suite 1400
21 Phoenix, Arizona 85004-2397
22 Attorney for Dr. Sayegh

*Hand delivered to
Holly R. Gieszl 2/2/00*

23 Copy of the foregoing delivered
24 this 2nd day of February, 2000,
25 to:

Gordon S. Bueler
Assistant Attorney General
1651 E. Morten, Suite 210
Phoenix, Arizona 85020
Attorney for Board

[Signature]

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3 In the Matter of

Inv. Number: 11827

4 **ABRAHAM SAYEGH, M.D.**

5 Holder of License No. 18816
6 For the Practice of Medicine
7 In the State of Arizona.

**AMENDED ORDER OF PROBATION
(Amendment to February 2, 2000
Order)**

8 This matter was considered by the Arizona Board of Medical Examiners ("Board") at
9 its public meeting on August 17, 2001. The Board was presented with the request of
10 Abraham Sayegh, M.D. ("Respondent") to amend its February 2, 2000 Board Order
11 ("Order") placing him on Probation. The terms and conditions of the aforementioned Order
12 are incorporated herein by reference.
13

14 Respondent requested that the Board amend the Order to in order to allow him to
15 reapply for a DEA license, restricted to Schedule IV and V medications. Staff informed the
16 Board that Respondent was compliant with the February 2, 2000 Order. The Program
17 Director of the Monitored Aftercare Program supported Respondent's request. After due
18 consideration of the facts and law applicable to this matter, the Board voted to amend the
19 February 2, 2000 Order by issuing the following Order.
20

21 **ORDER**

22 IT IS HEREBY ORDERED that:

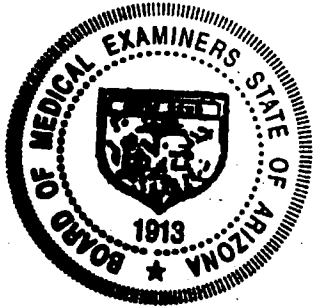
23 Respondent may reapply for a DEA license, restricted to Schedule IV and V
24 medications.
25

1 **RIGHT TO PETITION FOR REVIEW**

2 Respondent is hereby notified that he has the right to petition for a rehearing.
3 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with
4 the Board's Executive Director within thirty (30) days after service of this Order and
5 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a
6 rehearing. Service of this order is effective five (5) days after date of mailing. If a motion
7 for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it is
8 mailed to Respondent.

9 Respondent is further notified that the filing of a motion for rehearing is required to
10 preserve any rights of appeal to the Superior Court.

11 DATED this 10th day of September, 2001.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

18 By Claudia Foutz
19 CLAUDIA FOUTZ
20 Executive Director
21 TOM ADAMS
22 Deputy Director

23 ORIGINAL of the foregoing filed this
24 13 day of September, 2001 with:

25 The Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

Executed copy of the foregoing
mailed by U.S. Certified Mail this
13 day of September, 2001, to:

Holly Gieszl
Kimmerer & LaVelle, PC
221 East Indianola

1 Phoenix, Arizona 85012-2002

2 Executed copy of the foregoing mailed
3 by U.S. mail this 13 day of
September, 2001 to:

4 Abraham Sayegh, M.D.
5 18404 North Tatum Boulevard
6 Suite 206
Phoenix, Arizona 85032-1509

7 Copy of the foregoing hand-delivered this
8 13 day of September, 2001, to:

9 Christine Cassetta
10 Assistant Attorney General
11 c/o Arizona Board of Medical Examiners
12 9545 East Doubletree Ranch Road
13 Scottsdale, Arizona 85258
14 Counsel for the Board

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**ORDER TERMINATING STIPULATION
AND ORDER FOR PROBATION
DATED MARCH 17, 1999 AND
CONSENT AGREEMENT FOR DECREE
OF CENSURE AND PROBATION DATED
FEBRUARY 2, 2000.**

After due consideration of the facts and law applicable to this matter, the Board voted to terminate the Order of Probation dated March 17, 1999 and probation requirement contained in the Consent Agreement dated February 2, 2000.

IT IS HEREBY ORDERED that the Order of Probation dated March 17, 1999 and the Probation requirement in Consent Agreement dated February 2, 2000 are terminated.

1 DATED this 17th day of March, 2004.



ARIZONA MEDICAL BOARD

8 By *Barry Cassidy*
9 BARRY A. CASSIDY, Ph.D., PA-C
10 Executive Director

11 ORIGINAL of the foregoing filed this
12 17th day of MARCH, 2004 with:

13 The Arizona Medical Board
14 9545 East Doubletree Ranch Road
15 Scottsdale, Arizona 85258

16 Executed copy of the foregoing
17 mailed by U.S. Certified Mail this
18 17th day of MARCH, 2004, to:

19 Abraham Sayegh, M.D.
20 Address of Record

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